



Drew Henwood, Esq.
The Law Offices of Drew Henwood
93 Devine Street, Suite 100
San Jose, CA 95110
408-279-2730
408-279-2735 fax

The following constitutes
the order of the court. Signed October 3, 2013

Attorney for Moving Party
Leslie Guttadauro


Stephen L. Johnson
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

CAROL A. SIGNOR
aka LENA SIGNOR

Debtors

LESLIE GUTTADAURO

Movant,

vs.

CAROL A. SIGNOR
aka LENA SIGNOR

Respondent.

Case No. 10-63343-SLJ-13

Chapter 13

**ORDER ON MOTION GRANTING LIMITED
RELIEF FROM STAY AND FOR ADEQUATE
PROTECTION**

DATE: May 28, 2013
TIME: 10:30 a.m.
PLACE: United States Bankruptcy Court
280 S. 1st Street, Courtroom 3099
San Jose, CA 95113
BEFORE: The Honorable Stephen L. Johnson

Leslie Guttadauro (Hereinafter referred to as "Movant") Motion for Relief from the Automatic Stay ("Motion") came on for hearing on May 28, 2013 at 10:30 a.m., the Honorable Stephen L. Johnson, presiding. Movant appeared through his special appearance counsel, Anthony P. Passaretti, Esq. All other appearances were duly noted on the record.

The Court, having considered the pleadings including the evidence attached thereto and the arguments presented, makes its Order as follows:

1. IT IS ORDERED that Debtor shall pay \$500 to Movant beginning June 1st 2013 and continuing on the first day of each following month thereafter which represents the contractual payment due to Movant. Debtor is also ordered to make additional payments in equal installments

1 for a twelve month period until the post-petition arrearage amount is paid in full which also begins
2 on June 1st, 2013. The actual post-petition amount remains subject to determination by the parties.
3 The actual amount of the post-petition arrearage is disputed. The parties shall in good faith
4 determine the actual amounts of the arrearage. The contractual payments and the arrearage payments
5 will be deemed late if not paid on or before the fifteenth of each month. The contractual payments
6 and the arrearage cure payments shall be made to Movant at the following address:

7 Leslie T. Guttadauro
8 10251 Parlett Pl
9 Cupertino, CA 95016-2016

10 **2. IT IS FURTHER ORDERED** that in the event Debtor fails to timely or
11 properly comply with the payment provisions set forth in paragraph 1 above, Movant may
12 file and serve a Declaration Re: Non-Compliance on Debtor via U.S. mail and Debtor's
13 counsel via facsimile and U.S. mail. Debtor shall then have ten (10) days from the date of
14 service of the Declaration Re: Non-Compliance within which to cure the existing breach. If
15 Debtor fails to do so, then on the eleventh (11th) day, Movant may serve and lodge a
16 Declaration Re: Non-Cure of Default, along with a final Order for Relief from the Automatic
17 Stay and the Court shall cause said Order to be entered. Upon the entry of said Order, the automatic
18 stay in the above-entitled bankruptcy proceeding shall be immediately vacated and extinguished for
19 all purposes as to Movant, and Movant may proceed with a notice of default and foreclosure sale of
20 the Property, pursuant to applicable state law, without further court order or proceeding, and
21 thereafter take any action necessary to obtain complete possession of the Property.

22 APPROVED AS TO FORM AND CONTENT:

23 LAW OFFICES OF DAVID JAMES TRAPP

24 DATED: _____

25 By: David James Trapp
26 Attorney for Debtor, Carol A. Signor aka Lena Signor

27 **Mr. Trapp has signed off on this order on September 19, 2013 via facsimile transmission.**

28 ******END OF ORDER******

COURT SERVICE LIST

David James Trapp
Law Offices of David Jams Trapp
501 Stockton Ave.
San Jose, CA 95126

Carol A. Signor
aka Lena Signor
4111 Rivoir Drive
San Jose, CA 95118

(ALSO SERVICE ON ECF PARTICIPANTS)